

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NAGIBE AL-HAJ,

Plaintiff,

-against-

DR. SINGER, *et al.*,

Defendants.

19-CV-3135 (CM)

ORDER

COLLEEN McMAHON, Chief United States District Judge:

By order dated May 20, 2019, the Court dismissed the action without prejudice after Plaintiff failed to submit a completed request to proceed *in forma pauperis* (“IFP application”) or pay the \$400.00 in fees required to file a civil action in this Court. On June 7, 2019, the Court received a letter from Plaintiff indicating that he did not “have [a] lawyer for this lawsuit to extend the time to answer [the] motion to dismiss until June 29, 2019 and to appoint an attorney to represent [him].” (ECF No. 5.) On June 18, 2019, Plaintiff filed a notice of appeal. (ECF No. 6.)

On June 24, 2019, the Court (1) liberally construed the June 7, 2019 letter as a motion under Federal Rule of Civil Procedure 59(e) to alter or amend judgment; (2) granted the motion; and (3) directed the Clerk of Court to vacate the order of dismissal and the civil judgment, and to reopen this action. (ECF No. 7.)

On November 27, 2019, the Court of Appeals dismissed the appeal, determining “sua sponte that it lack[ed] jurisdiction over th[e] appeal . . . because the district court subsequently granted reconsideration and vacated th[e] judgment.” (ECF No. 9.)

**CONCLUSION**

The Court grants Plaintiff an additional 30 days from the date of this order to pay the filing fee or submit an IFP application.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

Dated: December 18, 2019  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge